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Date/Time: 2005-08-24 14:22:28 GMT

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Attention: USPTO: MAIL STOP AF

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Re: App. No. 09/965,374; Docket No. Palm-3612

Cover Message:

Please find attached a response in the  
above-referenced case.

Respectfully submitted,

Berry & Associates, P.C.

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Application/Control Number: 09/965,374  
Art Unit: 2127

Docket No.: PALM-3612

Applicant agrees with the Examiner that Reiffin does not teach that the set of registered services may be dynamically updated. However, the Examiner asserts that Burns teaches dynamically updating the set of registered services at col. 2, lines 5 - 19. Applicant respectfully submits that Burns does not teach this feature and therefore claims 23 and 24 are patentable. First, claim 23 recites the step of cycling through a set of pre-assigned time slices to schedule a set of tasks comprising a background task and a foreground task, each of the tasks assigned to one of the time slices wherein scheduling of the background task is independent from the scheduling of the foreground task. These set of tasks comprise the background task and the foreground task that are assigned to time slices. Before discussing the rest of claim 23, we'll cite lines 5 - 19 of column 2 of Burns:

A first thread having a background task to be executed passes a background task reference to a background processor having a thread which executes background tasks. The background processor includes a pending task structure and an active task structure. The first thread invokes a function, or method, of the background processor to insert the background task reference into the pending task structure. Periodically, the background processor examines the pending task structure to determine if background tasks have been registered for execution. Upon determining that one or more references exist in the pending task structure, the background processor moves the references from the pending task structure to the active task structure. The background processor reads the active task structure and executes the background tasks in the same thread via the references. Burns, Col. 2, lines 5 - 19.

Clearly Burns here discusses the pending task structure and the active task structure for management by the background processor. Now, the rest of claim 23 does not discuss tasks but discusses the set of registered services. Applicant respectfully submits that inasmuch as Burns is discussing a first thread and a background processor for processing "background tasks," that this differs from the scheduling of a service manager of a "set of services recited in claim 23. Notably, claim 23 goes on to claim the step of scheduling execution of a service manager operating on the background thread wherein this step further comprises 1) the service manager scheduling a set of services that are registered therewith for execution within its time slice, wherein the set of registered services may be dynamically

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updated and 2) the service manager allocating a data presence to each of the set of services registered therewith.

Applicant submits that col. 2, lines 5 - 19 of Burns do not teach the limitation of the scheduling execution of the service manager because the service manager schedules a set of services, the set of registered services being dynamically updated. Applicant submits that the scheduled services are clearly different from background tasks. The background tasks are different features in claim 23 and are not the features that are "dynamically updated." In Burns, the portion cited by the Examiner relates to the pending and active task structures, which in the context of claim 23 is different from the set of registered services.

Accordingly, Applicant submits that the combination of Reiffin and Burns fails to teach each limitation of claim 23. Therefore, claim 23 and dependent claim 24 are patentable and in condition for allowance.

### **CONCLUSION**

Having addressed all rejections, Applicant respectfully submits that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

The Commissioner is hereby authorized to charge any necessary fees (or credit any overpayments) associated with this communication and which may be required to Deposit Account No. 50-3102, referencing Attorney Docket No. PALM-3612.

Respectfully submitted,

Date: August 24, 2005

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